



CITY OF CHARLESTON

Planning Commission Agenda Package

FOR THE MEETING OF :

May 17, 2017 2 George St, Charleston, SC
5:00PM - Regular Meeting

CITY OF CHARLESTON



DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY

www.charleston-sc.gov/pc

CITY OF CHARLESTON PLANNING COMMISSION

MEETING OF MAY 17, 2017

A meeting of the City of Charleston Planning Commission will be held at **5:00 p.m., on Wednesday, May 17, 2017** in the Public Meeting Room, 1st Floor, 2 George St. The following applications will be considered:

REZONINGS

1. **445 Meeting St (Peninsula) TMS# 4590901045** - approx. 2.2 ac. Request rezoning from General Business (GB) to Planned Unit Development (PUD).
Owner/Applicant: 445 Meeting Street Partners LLC
2. **445 Meeting St (Peninsula) TMS# 4590901045** - approx. 2.2 ac. Request rezoning from 80/30 and 55/30 Old City Height Districts to 100/30 Old City Height District.
Owner/Applicant: 445 Meeting Street Partners LLC
3. **Brockman Dr (James Island) TMS# 4251100138, 264, 265, 266 & 296** – approx. 0.32 ac. Request rezoning from Single-Family Residential (SR-1) to Diverse Residential (DR-1F).
Owner: 306 West Indian LLC
Applicant: Capers G. Barr, IV
4. **575, 577 & 579 Meeting St (Peninsula) TMS# 4631604021, 020 & 019** – 0.764 ac. Request rezoning from General Business (GB) to Light Industrial (LI).
Owner: Grant Realty Corporation
Applicant: Randolph Cooper

SUBDIVISIONS

1. **Murraywood Rd (Johns Island) TMS# 3120000026 & 182** – 2.71 ac. 9 lots. Request subdivision concept plan approval. Zoned Single-Family Residential (SR-1) and Single- & Two-Family Residential (STR).
Owner: Mama Lil LLC
Applicant: Atlantic South Consulting Services
2. **Johnston Point, Phase 2 (Murraywood Rd – Johns Island) TMS# 3120000023 & 024** – 14.0 ac. 50 lots. Request subdivision concept plan approval. Zoned Single-Family Residential (SR-1).
Owner: Kenneth Gervais
Applicant: Thomas & Hutton Engineering Co
3. **Pine Log Lane Cluster (Brownswood Rd – Johns Island) TMS# 3120000008 & 009** – 29.9 ac. 73 lots. Request subdivision concept plan approval. Zoned Rural Residential (RR-1) and Single-Family Residential (SR-1).
Owner: Lennar Communities of Carolinas Inc
Applicant: Thomas & Hutton Engineering Co
4. **Greenway Preserve (Mutual Dr – West Ashley) TMS# 3100600106** – 5.22 ac. 18 lots. Request subdivision concept plan approval. Zoned Single-Family Residential (SR-6).
Owner: Catalyst Builders Inc
Applicant: HLA Inc

- 5. Governors Cay, Phase 5 (Forrest Dr – Cainhoy) TMS# 2710002150** – 6.704 ac. 22 lots. Request subdivision concept plan approval. Zoned Diverse Residential (DR-9).
Owner: Calatlantic Group LLC
Applicant: Stantec

ZONINGS

- 1. 2240 Pinehurst Ave (West Ashley) TMS# 3581500023** – 0.30 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
Owner: Chris Mason
- 2. Brownswood Rd (Johns Island) TMS# 2800000054** – 0.13 ac. Request zoning of Single-Family Residential (SR-1). Zoned Rural Residential (RR-3) in Charleston County.
Owner: Phillip Simmons

ORDINANCE AMENDMENT

- 1. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 (b) (1) pertaining to the list of criteria considered for an exception to be granted by the Board of Zoning Appeals for an accommodations use within the Accommodations Overlay Zone.**

APPROVAL OF MINUTES

Approval of minutes from previous meetings.

REPORT OF THE TECHNICAL REVIEW COMMITTEE

Over the past month, the following subdivision projects were submitted to the TRC for review and approval. The findings of the TRC shall be presented to the Planning Commission. Items approved by the TRC comply with all applicable regulations and standards of the City of Charleston.

Preliminary & Final Plats

- 1. Bennett's Bluff (Fort Johnson Road – James Island) TMS# 4280000013** – 31.0 ac. 86 lots. SR-1. Preliminary subdivision plat under review.
- 2. Carolina Bay, Phase 21B (Conservancy Lane – West Ashley) TMS# 3070000009** – 16.5 ac. 64 lots. SR-6. Final subdivision plat recorded.
- 3. Overture Coburg Road (West Ashley) TMS# 3490800001 & 3491200011** – 36.3 ac. 2 lots. PUD & SR-1. Preliminary subdivision plat approved. Final subdivision plat pending approval.
- 4. Woodbury Park, Tract 3 (Hamrick Lane – Johns Island) TMS# 3130000048** – 49.1 ac. 2 lots. SR-1. Final subdivision plat pending approval.
- 5. 1991 Clements Ferry Road (Cainhoy) TMS# 2680000125** – 5.8 ac. 2 lots. PUD. Final subdivision plat under review.
- 6. Parcels BB-5 & CC-6 (Daniel Island Drive – Daniel Island) TMS# 2750000203 & 2770000011** – 21.3 ac. 73 lots. DI-R. Final subdivision plat pending approval.
- 7. 61 Watroo Point (Daniel Island) TMS# 2711101111** – 0.6 ac. 2 lots. DI-R. Preliminary subdivision plat pending approval.
- 8. 431 Island Park Drive (Daniel Island) TMS# 2721302066** – 1.1 ac. 2 lots. DI-R. Preliminary subdivision plat pending approval.
- 9. Fifth Avenue (West Ashley) TMS# 4180700118** – 0.5 ac. 3 lots. SR-2. Preliminary subdivision plat under review.
- 10. Minnie Street (West Ashley) TMS# 4181100074** – 0.2 ac. 2 lots. SR-2. Preliminary subdivision plat under review.

11. **Cross Creek (Folly Road – James Island) TMS# 4240000013** – 5.9 ac. 2 lots. GB. Preliminary subdivision plat pending approval.
12. **Line Street Railroad Right-of-Way (Peninsula)** – 0.9 ac. 1 lot. Preliminary subdivision plat approved. Final subdivision plat pending approval.
13. **Woodbury Park, Phase 2 (Hamrick Lane – Johns Island) TMS# 3130000048** – 10.9 ac. 38 lots. SR-1. Preliminary subdivision plat pending approval.
14. **Tract B-2 & William E. Murray Boulevard Extension (West Ashley) TMS# 3060000012 & 933** – 22.2 ac. 4 lots. GB. Final subdivision plat pending approval.
15. **Lucky Road (James Island) TMS# 3410000026 & 103** – 3.2 ac. 3 lots. SR-1. Final subdivision plat pending approval.
16. **Heritage Oaks, Phase 2 (Ferguson Road – James Island) TMS# 33700000457** – 2.9 ac. 14 lots. SR-3. Final subdivision plat pending approval.
17. **Floyd Drive (West Ashley) TMS# 3010000027** – 152.0 ac. 2 lots. GB & GP. Preliminary subdivision plat approved. Final subdivision plat pending approval.
18. **1012 Harbor View Road (James Island) TMS# 4261100011** – 0.4 ac. 4 lots. DR-1F. Preliminary subdivision plat approved. Final subdivision plat pending approval.
19. **The Villages at St. Johns Woods, Phase V-1 (St. Johns Woods Parkway – Johns Island) TMS# 2790000143** – 17.6 ac. 20 lots. PUD. Final subdivision plat pending approval.
20. **123 & 125 Moultrie Street (Peninsula) TMS# 4600301039 & 055** – 0.2 ac. 2 lots. DR-1. Preliminary subdivision plat pending approval.
21. **Farr Street Extension (Daniel Island) TMS# 2750000182** – 12.7 ac. 3 lots. DI-R. Preliminary subdivision plat pending approval.
22. **Essex Village (Henry Tecklenburg Drive – West Ashley) TMS# 3090000003** – 12.7 ac. 41 lots. PUD. Preliminary subdivision plat pending approval.
23. **Grand Oaks, Phase 4 (Proximity Drive – West Ashley) TMS# 3010000694** – 11.3 ac. 9 lots. PUD. Final subdivision plat pending approval.
24. **Freeman's Point Shared Open Space Lots (Eutaw Battalion Drive – James Island) TMS# 4270000065** – 1.3 ac. 4 lots. PUD. Final subdivision plat pending approval.
25. **Harbor View Oaks (Harbor View Road – James Island) TMS# 4240700029** – 2.6 ac. 4 lots. SR-1. Final subdivision plat under review.
26. **Oakfield, Phase 5A (Cane Slash Road – Johns Island) TMS# 2780000043** – 32.3 ac. 57 lots. PUD. Preliminary subdivision plat approved.
27. **Oakfield, Phase 5B (Cane Slash Road – Johns Island) TMS# 2780000128** – 25.1 ac. 57 lots. PUD. Preliminary subdivision plat approved.

Road Construction Plans

1. **Brisbane Cluster Development (Central Park Road – James Island) TMS# 3400100011 & 050** – 6.6 ac. 30 lots. SR-1. Road construction plans under review.
2. **Bennett's Bluff (Fort Johnson Road – James Island) TMS# 4280000013** – 31.0 ac. 86 lots. SR-1. Road construction plans under review.
3. **Woodbury Park, Phase 2 (Hamrick Lane – Johns Island) TMS# 3130000048** – 10.9 ac. 38 lots. SR-1. Road construction plans under review.
4. **Harmony (Shelby Ray Court – West Ashley) TMS# 3060000003** – 166.4 ac. 215 lots. PUD. Road construction plans under review.
5. **Farr Street Extension (Daniel Island) TMS# 2750000182** – 12.7 ac. 3 lots. DI-R. Road construction plans under review.
6. **Nabors Drive Townhomes (James Island) TMS# 4281600013, 046-048, 052** – 3.9 ac. 25 lots. DR-9. Road construction plans pending approval.
7. **Essex Village (Henry Tecklenburg Drive – West Ashley) TMS# 3090000003** – 12.7 ac. 41 lots. PUD. Road construction plans under review.

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 2 George St, Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting www.charleston-sc.gov/pc. In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

CITY OF CHARLESTON PLANNING COMMISSION

May 17, 2017

Rezoning 3 :

Brockman Drive (James Island)

BACKGROUND

The applicant is requesting rezoning from Single-Family Residential (SR-1) to Diverse Residential (DR-1F). The properties, located near the cul-de-sac of Brockman Drive, are surrounded by SR-1 zoning and DR-1F zoning. Surrounding uses include single-family homes on single-family lots and residential "quad-plexes" located adjacent to the subject properties.

The subject properties are part of a horizontal property regime that had been subdivided into multiple properties (including common area) many years ago. Most of the properties were developed into residential units in the form of four-unit buildings sitting on the same common property. Four of the properties (the subject properties) were not built at the same time the other units were constructed, yet they had already been subdivided per the property deed.

In 2005, the City of Charleston initiated a rezoning of several properties, mostly single-family lots, from a zoning district that allowed multiple residential units to a single-family zoning district. The physically undeveloped portions of the subject properties were included in the rezoning. The current SR-1 zoning does not allow the property to be built in the same manner as the other units in the horizontal property regime. The 2005 rezoning put the original subdivision into conflict with existing zoning/development regulations.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends keeping the character of established areas in the City when considering the zoning of property. The Century V Plan map indicates the subject property is within an area designated as **Suburban Edge** which is predominantly residential with densities ranging between 1 to 4 units per acre.

STAFF RECOMMENDATION

TO BE DISCUSSED DURING THE MEETING

Rezoning 3

Brockman Dr (James Island)

TMS# 4251100138, 264, 265, 266 & 296

approx. 0.32 ac.

Request rezoning from Single-Family Residential (SR-1)
to Diverse Residential (DR-1F).

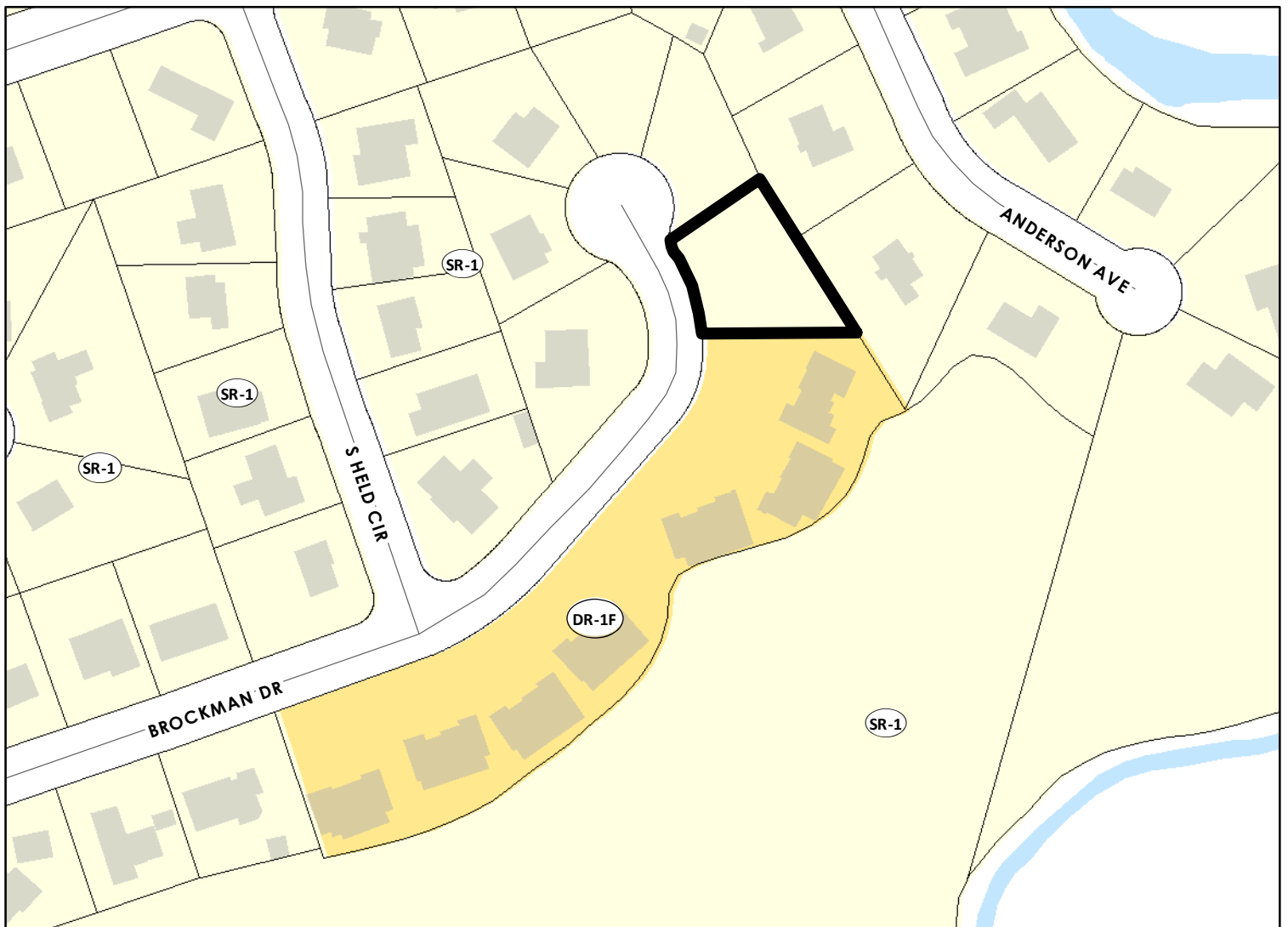
Owner: 306 West Indian LLC

Applicant: Capers G. Barr, IV

Area



Location



**CITY OF CHARLESTON
PLANNING COMMISSION**

May 17, 2017

Subdivision 1:

**Murray Wood Road
(Johns Island)**

BACKGROUND

The applicant is requesting subdivision concept plan approval for 2.71 acres on Murraywood Road on Johns Island. This project consists of the creation of a new right-of-way to serve 8 parcels for single-family detached homes. The proposed right-of-way is typical for Local Single-Family Residential Access Streets and the new parcels conform to the subdivision requirements for new parcels in the SR-1 and STR zone districts. There are no jurisdictional wetlands or critical area on or adjacent to this site. There are grand trees on the site and any grand tree impacts will require approval by the Board of Zoning Appeals – Site Design. The City's Technical Review Committee (TRC) has reviewed the conceptual subdivision for compliance with City standards.

The property is zoned Single-Family Residential (SR-1) and Single- and Two-Family Residential (STR), which allow single-family and two-family residential uses and allow 4.8 and 7.3 single-family dwelling units per net acre, respectively. The surrounding existing uses include primarily single-family uses.

STAFF RECOMMENDATION

APPROVAL WITH CONDITIONS

Subdivision 1

Murraywood Rd (Johns Island)

TMS# 3120000026 & 182

2.71 ac.

9 lots. Request subdivision concept plan approval.
Zoned Single-Family Residential (SR-1)
and Single- & Two-Family Residential (STR).

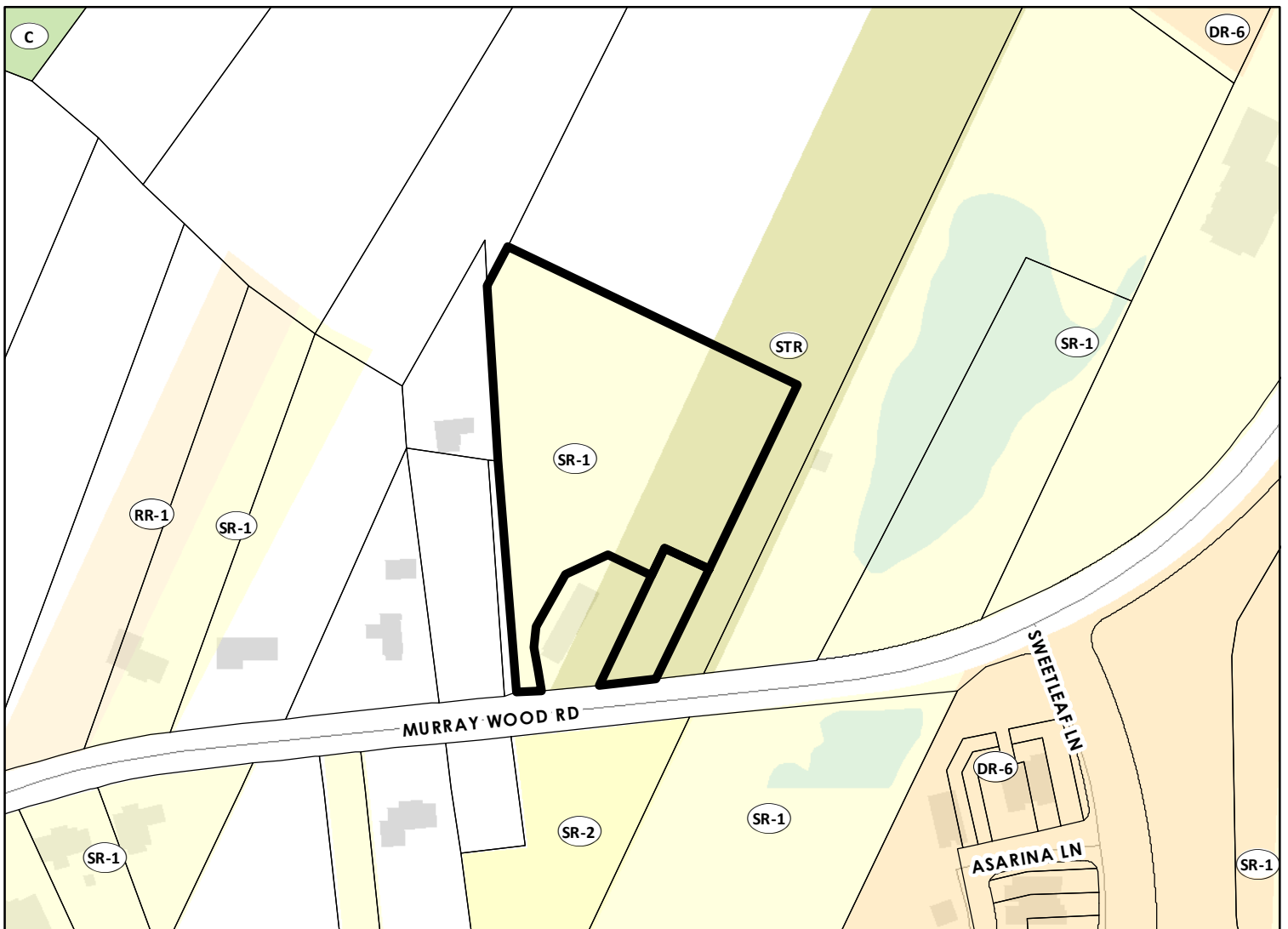
Owner: Mama Lil, LLC

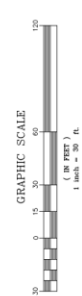
Applicant: Atlantic South Consulting Services

Area



Location





**CITY OF CHARLESTON
PLANNING COMMISSION**

May 17, 2017

Subdivision 2:

**Johnston Point, Phase 2
(Murray Wood Road – Johns Island)**

BACKGROUND

The applicant is requesting subdivision concept plan approval for a cluster development consisting of 14.0 acres on Murray Wood Road on Johns Island, adjacent to the Whitney Lake development. The proposed subdivision includes the creation of new rights-of-way to serve 50 parcels for single-family detached homes. The proposed rights-of-way are typical for Local Single-Family Residential Access Streets and Alleys and the new parcels conform to the subdivision requirements for cluster developments. There are jurisdictional wetlands on this site, impacts to which have been permitted by the USACOE. There are also grand trees on the site and the grand tree impacts have received approval by the Board of Zoning Appeals – Site Design. The City's Technical Review Committee (TRC) has reviewed the conceptual subdivision for compliance with City standards.

The property is zoned Single-Family Residential (SR-1), which allows the single-family residential use and the cluster development with a maximum density of 4.8 units per acre. The surrounding existing uses include primarily single-family residential uses.

STAFF RECOMMENDATION

APPROVAL WITH CONDITIONS

Subdivision 2

Johnston Point, Phase 2
(Murraywood Road – Johns Island)

TMS# 3120000023 & 024

14.0 ac.

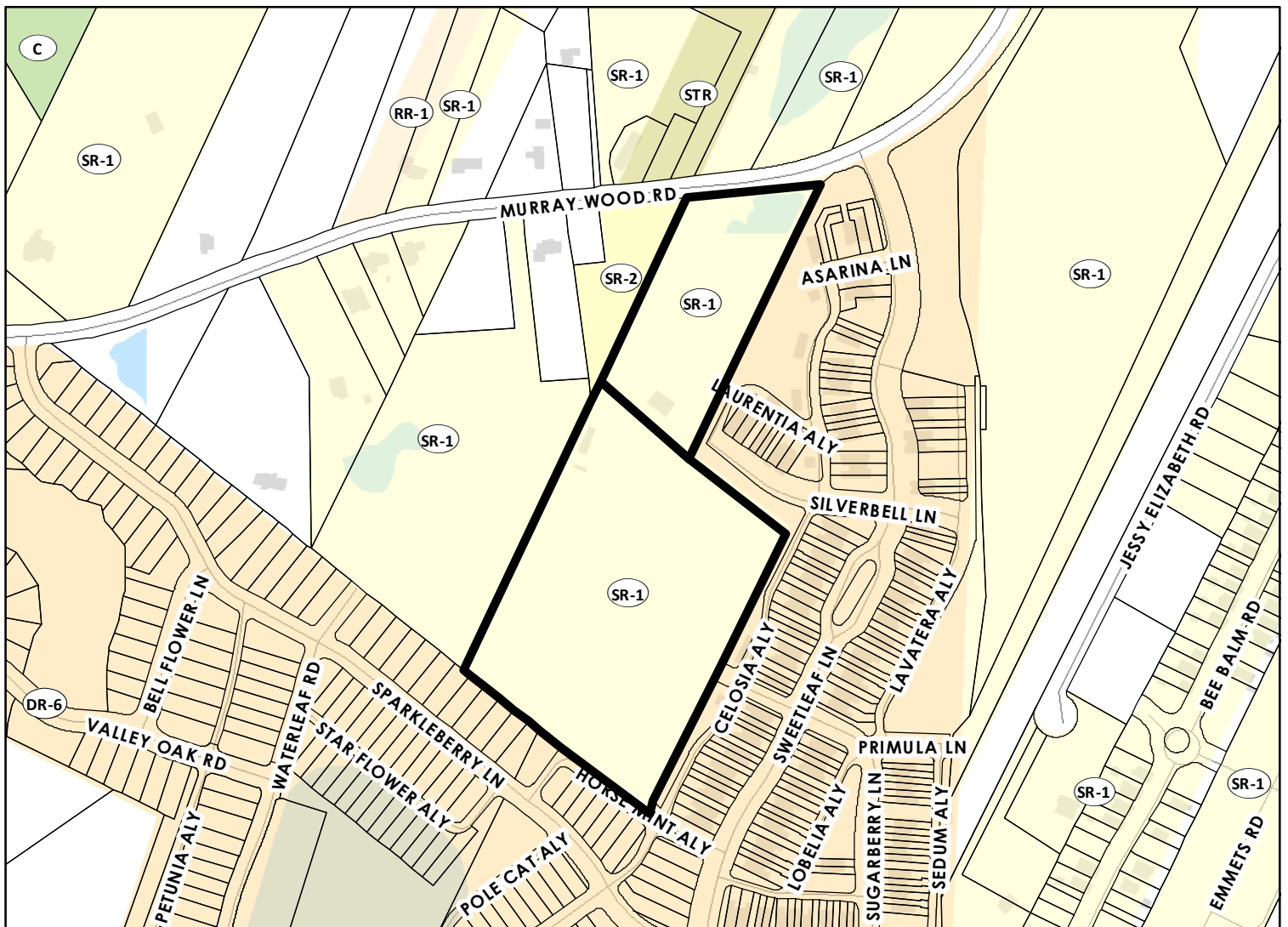
50 lots. Request subdivision concept plan approval.
Zoned Single-Family Residential (SR-1).

Owner: Kenneth Gervais
Applicant: Thomas & Hutton Engineering Co.

Area



Location



**CITY OF CHARLESTON
PLANNING COMMISSION**

May 17, 2017

Subdivision 3:

**Pine Log Lane Cluster
(Brownswood Road – Johns Island)**

BACKGROUND

The applicant is requesting subdivision concept plan approval for a cluster development consisting of 29.9 acres on Brownswood Road at Pine Log Lane on Johns Island. The proposed subdivision includes the creation of new rights-of-way to serve 73 parcels for single-family detached homes. The proposed rights-of-way are typical for Local Single-Family Residential Access Streets and Alleys and the new parcels conform to the subdivision requirements for cluster developments. There are jurisdictional wetlands on the site, impacts to which have been permitted by USACOE. There are grand trees on the site, impacts to which have been approved by the Board of Zoning Appeals – Site Design. The City's Technical Review Committee (TRC) has reviewed the conceptual subdivision for compliance with City standards.

The property is zoned Rural Residential (RR-1) and Single-Family Residential (SR-1), which allow the cluster development and single-family residential use. The surrounding existing uses include primarily single-family uses.

STAFF RECOMMENDATION

APPROVAL WITH CONDITIONS

Subdivision 3

Pine Log Lane Cluster (Brownswood Road – Johns Island)

TMS# 3120000008 & 009

29.9 ac.

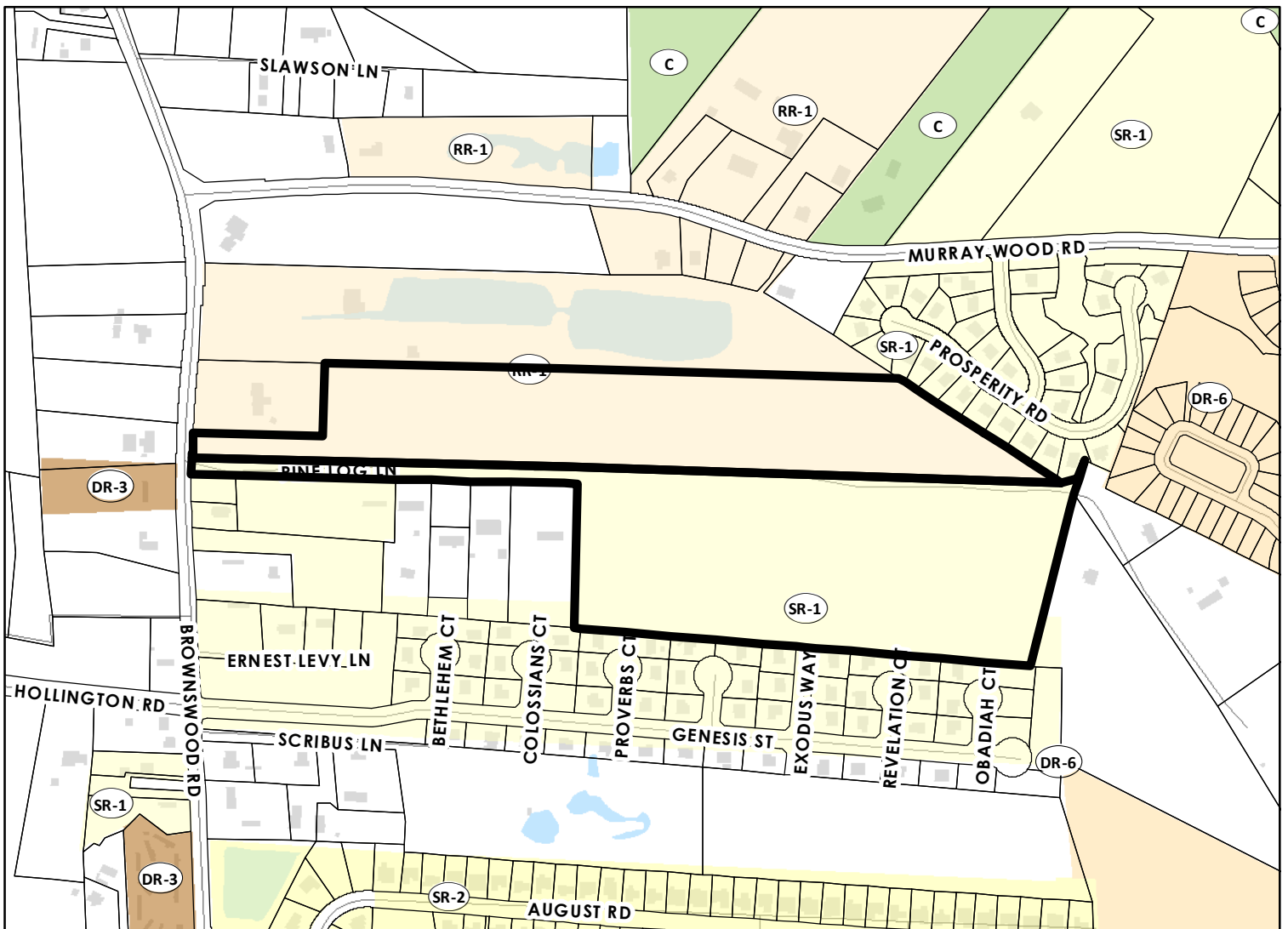
73 lots. Request subdivision concept plan approval.
Zoned Rural Residential (RR-1)
and Single-Family Residential (SR-1).

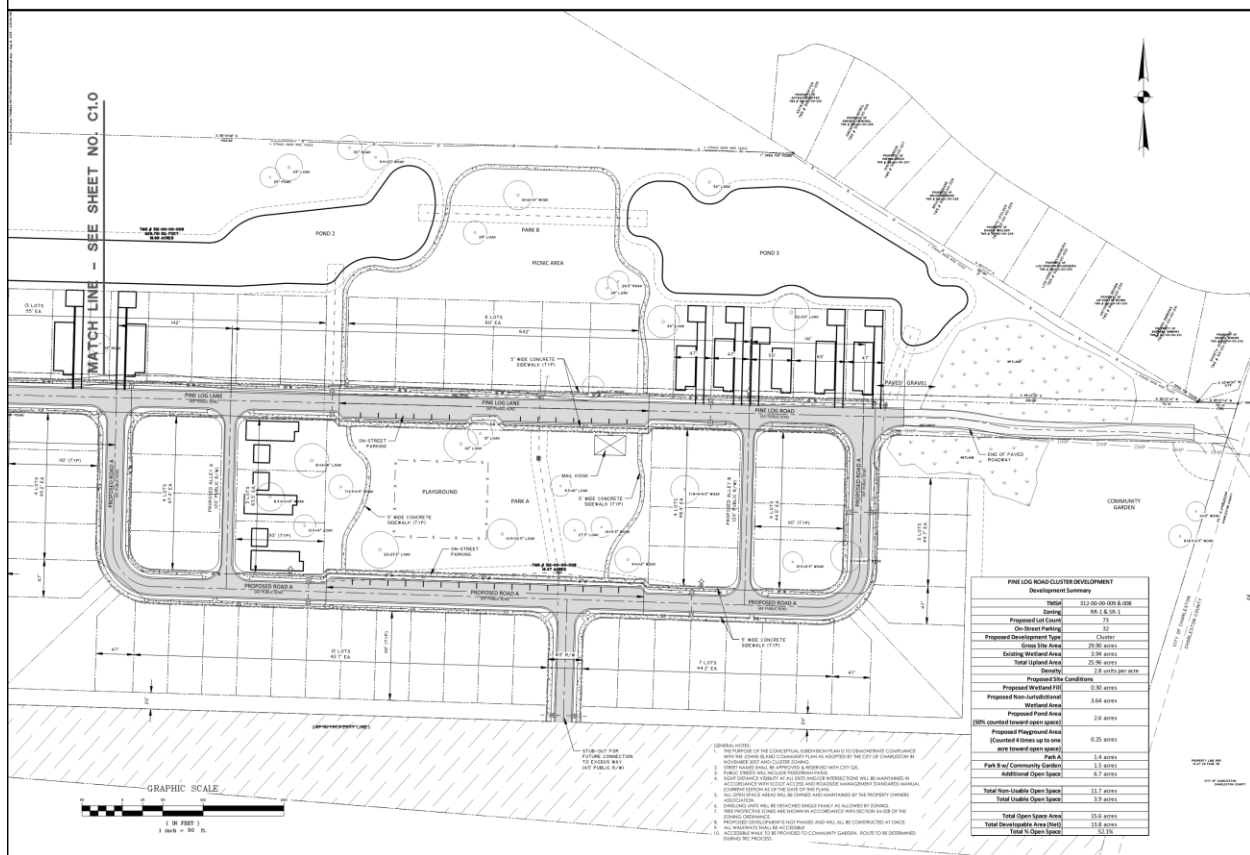
Owner: Lennar Communities of Carolinas, Inc.
Applicant: Thomas & Hutton Engineering Co.

Area



Location





CITY OF CHARLESTON PLANNING COMMISSION

May 17, 2017

Zoning 1 :

2240 Pinehurst Ave (West Ashley)

BACKGROUND

The subject property is pending annexation into the City of Charleston and the property owner is requesting a zoning of Single-Family Residential (SR-1). The property is zoned Single-Family Residential (R-4) in Charleston County. Surrounding zonings include Single-Family Residential (SR-1) and the property is surrounded by single-family homes. The subject property is occupied by a single-family house.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject property is designated in the Century V Plan as **Suburban Edge** which is predominantly residential with densities ranging between 1 to 4 units per acre. Given the plan designation, the proposed SR-1 zoning is appropriate for this site.

STAFF RECOMMENDATION

APPROVAL

Zoning 1

2240 Pinehurst Ave (West Ashley)

TMS# 3581500023

0.30 ac.

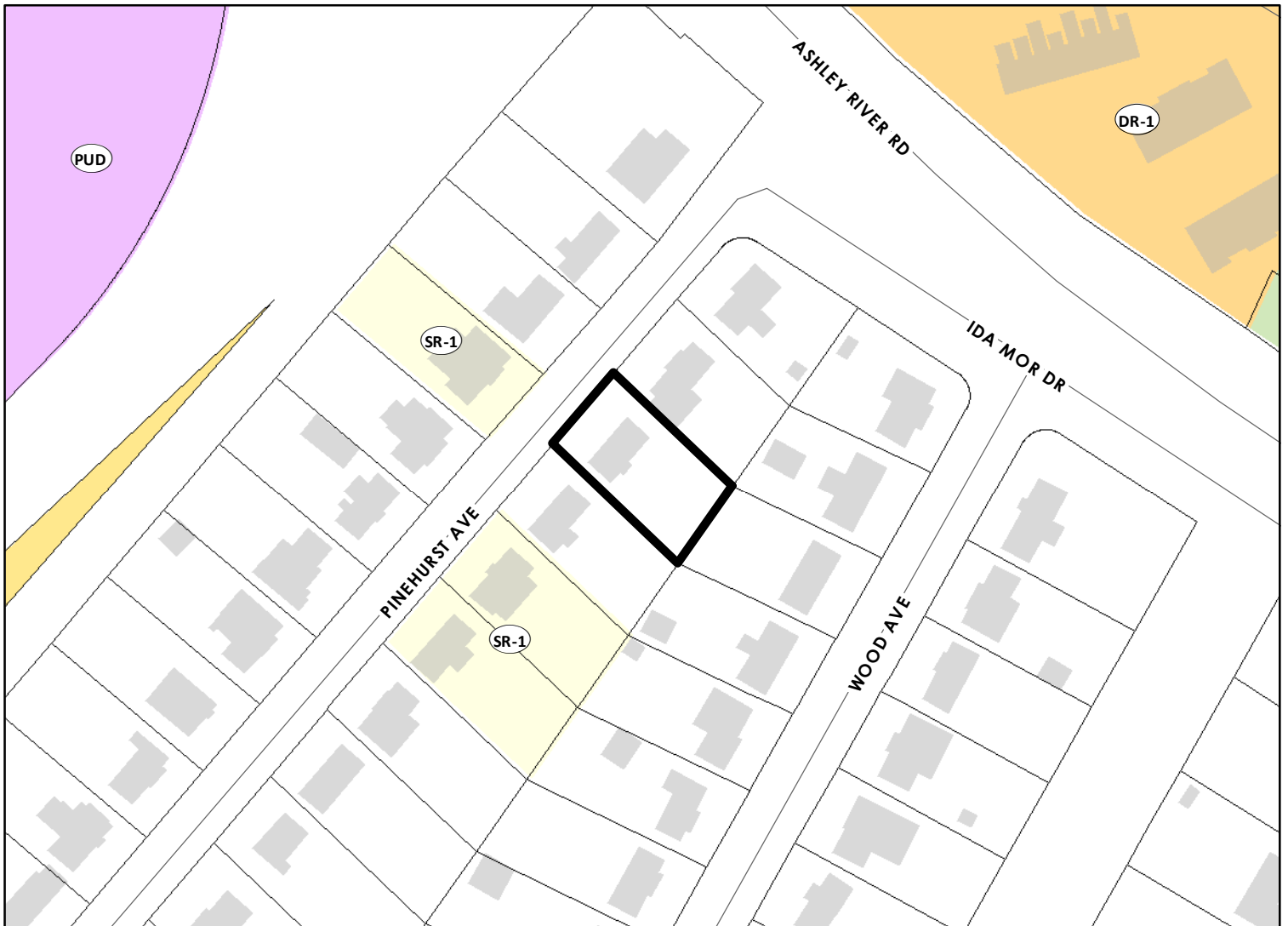
Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4)
in Charleston County.

Owner: Chris Mason

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

May 17, 2017

Zoning 2 :

Brownswood Road (Johns Island)

BACKGROUND

The subject property was annexed into the City of Charleston on April 25, 2017 and the property owner is requesting a zoning of Single-Family Residential (SR-1). The property is zoned Rural Residential (RR-3) in Charleston County. Surrounding zonings include Diverse Residential – Mobile Home (DR-3) and Single-Family Residential (SR-2 & SR-1) in the City and Rural Residential (RR-3) in Charleston County. The subject property is surrounded by single-family homes and vacant parcels. The subject property is undeveloped.

The property is small but large enough for a single-family home. The property is surrounded by other properties under the same ownership. If zoned to SR-1, the property could not yield any more residential units for the owner either alone or in combination with the adjacent lots.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject property is designated in the Century V Plan as **Rural** and is on the edge of the Urban Growth Boundary (UGB). The zoning on the subject property, and homes on the surrounding lots, existed prior to adoption of the UGB. Given the size of lot, the surrounding zoning and the existing pattern of development in the surrounding area the proposed SR-1 zoning is appropriate for this site.

STAFF RECOMMENDATION

APPROVAL

Zoning 2

Brownswood Rd (Johns Island)

TMS# 2800000054

0.13 ac.

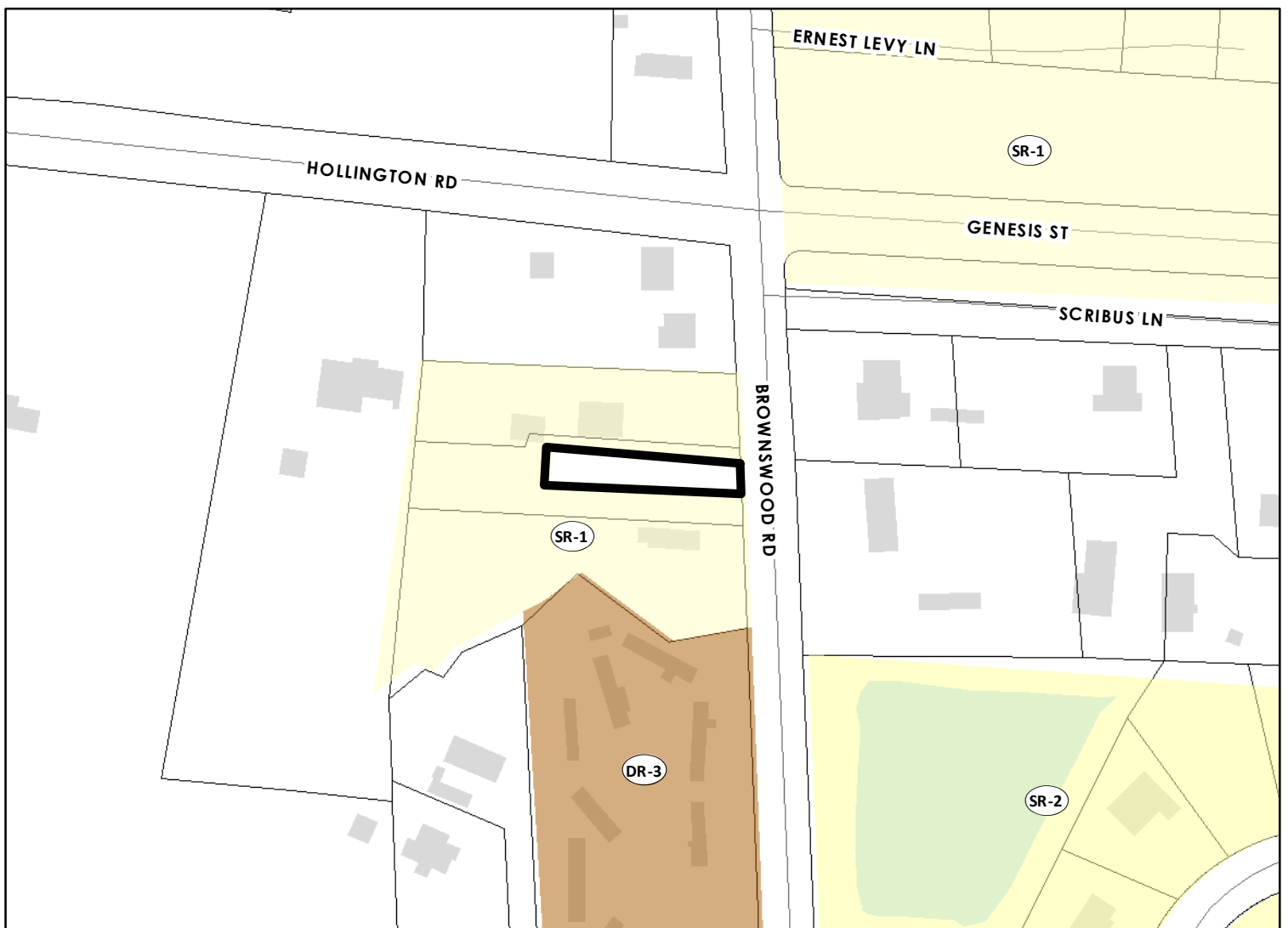
Request zoning of Single-Family Residential (SR-1).
Zoned Rural Residential (RR-3)
in Charleston County.

Owner: Phillip Simmons

Area



Location



**CITY OF CHARLESTON
PLANNING COMMISSION**

May 17, 2017

Ordinance Amendment 1 :

Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 (b) (1) pertaining to the list of criteria considered for an exception to be granted by the Board of Zoning Appeals for an accommodations use within the Accommodations Overlay Zone.

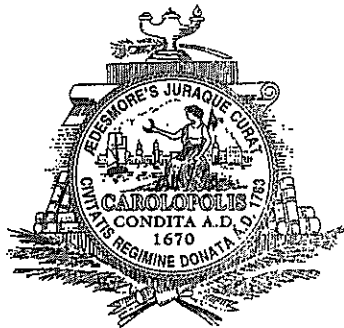
BACKGROUND

The attached ordinance was presented to City Council in 2016 and no action was taken at that time. Some revisions are in progress and will be presented to the Planning Commission for discussion.

STAFF RECOMMENDATION

The proposed ordinance will be presented in detail for discussion but no action by Planning Commission is expected at this time.

41.)



Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-220 ACCOMMODATIONS OVERLAY ZONE, BY INSERTING LANGUAGE TO PRESERVE MIXED-USE DISTRICTS: PROHIBIT THE DISPLACEMENT OF HOUSING BY ACCOMMODATIONS AND CONSIDER THE EFFECTS OF HOUSING UNITS TO BE ALTERED OR REPLACED ON THE HOUSING STOCK AND WHETHER REQUIREMENTS TO PROTECT THE AFFORDABILITY OF THE HOUSING UNITS SHOULD BE ATTACHED TO AN ACCOMMODATIONS SPECIAL EXCEPTION APPROVAL; PROHIBIT THE DISPLACEMENT OR REDUCTION OF OFFICE SPACE BY ACCOMMODATIONS TO BE LOCATED WITHIN AREAS ON THE PENINSULA DESIGNATED "A-1" ON THE ACCOMMODATIONS OVERLAY ZONING MAP AND ON STREETS WITH OFFICE USE AS A PREDOMINANT USE; PROHIBIT THE DISPLACEMENT OF MORE THAN 25 PERCENT OF GROUND FLOOR, STORE FRONT RETAIL SPACE BY ACCOMMODATIONS USES ON STREETS WITH GROUND FLOOR, STORE FRONT RETAIL AS A DOMINANT USE; PROHIBIT AN OVERCONCENTRATION OF ACCOMMODATIONS UNITS WITHIN AREAS ON THE PENINSULA DESIGNATED "A-1" ON THE ACCOMMODATIONS OVERLAY ZONING MAP; AMEND REVISED SUBSECTION B. 1. (G) BY DELETING WORDING REGARDING PEDESTRIAN ACTIVITY AND TRANSIT SYSTEM USAGE AND INSERTING LANGUAGE REGARDING THE LOCATION AND DESIGN OF GUEST DROP OFF AND PICK UP AREAS; AND AMEND REVISED SUBSECTION B. 1. (H) 15 TO REQUIRE ADDITIONAL INFORMATION ON PARKING AND PUBLIC TRANSIT PROVISIONS FOR EMPLOYEES. (AS AMENDED)

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That Section 54-220 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~strike through~~ and adding text shown below with a double-underline:

"Sec. 54-220. - Accommodations overlay zone.

- a. Intent. The A Overlay Zone is intended to identify those areas within the City limits where accommodation uses are allowed. Accommodation uses are prohibited except within the A Overlay Zone, with the exception of bed and breakfasts that are approved in accordance with the provisions of Section 54-208 or 54-208.1, and short term rentals that are approved in accordance with the provisions of Section 54-227. The City places a high value on the preservation of the character of its residential neighborhoods and its mixed-use districts. Potential negative impacts affecting residential neighborhoods shall be avoided or minimized to the greatest extent possible.
- b. Permitted uses. In any Accommodation overlay zoning district, land may be used and buildings or structures may be erected, altered or used for any purpose allowed by the underlying zoning district as listed in Article 2: Part 3, and the following uses subject to the approval of the Board of Zoning Appeals:
1. Accommodation uses. The Board of Zoning Appeals may permit accommodation uses as an exception where it finds that:
 - (a) the facility will not displace ~~elimination of~~ housing units ~~by the proposed facility from the property and, if existing housing are to be altered or replaced on the property,~~ will not adversely affect the existing housing stock;
 - (b) the facility, if located on the peninsula within areas designated "A-1" on the Accommodations Overlay zoning map on a commercial street where the

predominate use on the commercial street within 500 feet of the facility is offices,

will not reduce or displace office space;

(c) the facility will not displace more than 25% of the linear frontage of existing

ground floor storefront retail space on streets with retail store fronts as a

dominant use;

(d) the location of the facility will not significantly increase automobile traffic on streets within residential neighborhoods;

(e) the total square footage of interior and exterior floor area for restaurant and bar space in the proposed facility, including restaurant/bar patron use areas, bar areas, kitchen, storage, and bathroom facilities, shall not exceed 12 percent of the total interior, conditioned floor area in the facility, except that each facility shall be permitted to exempt from the calculation of total restaurant floor area one interior, ground floor restaurant tenant space if the total tenant space does not exceed 2,000 square feet, the restaurant tenant does not serve alcoholic beverages, and the exempt restaurant tenant space is clearly labeled with these restrictions on the floor plans submitted with the application for this zoning special exception;

(f) the proposed use is otherwise in character with the immediate neighborhood and,
if located within the area designated "A-1" on the Accommodations Overlay
zoning map, will not be located on a property that adjoins another property with

an existing accommodations use or a vested approval for an accommodations use
and will not share any facilities with any other accommodations use;

(g) the location and design of the proposed ~~facility~~ guest drop off and pick up area(s)
~~will facilitate pedestrian activity and encourage transit system usage within the~~
~~peninsula~~ is safe and appropriate; and

(h) in making these findings, the Board of Zoning Appeals shall consider the
following information to be provided by the applicant in site plans, floor plans,
building elevations, and a detailed written assessment report to be submitted with
the application:

(1) the number of existing housing units on the property, including units on the
property that were occupied as housing units within the last 5 years, ~~to be~~
~~displaced by~~ the type of unit (rental or owner-occupied; single-family, duplex
or multi-family; occupied or unoccupied), ~~by income range,~~ the rental price
for rental units and market price for owner occupied units relative to the
median area income figures that are determined annually by the U.S.
Department of Housing and Community Development and adjusted by the
City of Charleston Department of Housing and Community Development, or
its successor, ~~the~~ and by physical condition of the units (sound, deficient,
deteriorated or dilapidated), and whether units are to be displaced, physically
altered or replaced on the property;

- (2) the effect of the ~~displacement~~ physical alteration or replacement ~~on the total available housing stock and on the housing stock of a particular type and income range in the service area~~ and whether a condition should be attached to a special exception approval for the accommodations use requiring a minimum percentage of the housing units on the property to remain affordable based on the annually updated median area income values;
- (3) the presence of office space on the property or the presence of spaces on the property that were occupied as office spaces within the last 5 years;
- (4) the linear frontage of existing groundfloor storefront retail space on the property on streets with groundfloor retail storefront spaces as a dominant use;
- (5) the location and design of guest drop off and pick up areas for the facility,
- (6) the number of vehicle trips generated by the facility and the traffic circulation pattern serving the facility and efforts made to minimize traffic impacts;
- (7) the distance of the main entrance and parking entrance of the facility from a road classified as an arterial or collector road;
- (8) the development pattern and predominant land uses within five hundred feet (500') of the facility and, for a facility to be located on a property within the area designated "A-1" on the Accommodations Overlay zoning map, the

presence of existing or vested accommodations uses on an adjoining property;

- (9) the proximity of residential neighborhoods to the facility;
- (10) the accessory uses proposed for the facility in terms of the size, impact on parking, and impact on traffic generation;
- (11) the demonstrated provision of off-street parking at the rate of two spaces that meet the design requirements of Sec. 54-318 for each three sleeping units;
- (12) the presence of industrial uses and uses which use, store, or produce toxic or hazardous materials in quantities in excess of those specified by the EPA listing of toxic and hazardous materials, within five hundred feet (500') of the facility;
- (13) the commitment to environmental sustainability and recycling;
- (14) the distance of the facility from major tourist attractions;
- (15) the distance of the facility from existing or planned transit facilities;
- (16) the long term provision of on- or off-site parking for employees who drive vehicles to work, including an estimate of the number of employees that will drive to work during the maximum shift and the location of parking spaces to be provided; and the demonstrated provision of free transit passes or other incentives to encourage employee use of public transportation;

(17) the location of the proposed facility will contribute to the creation of a diverse mixed-use community;

(18) the number of rooms in the facility; provided however that the number of rooms in a facility shall not exceed 50 in areas designated "A-1" on the zoning map; 180 in areas designated "A-2" on the zoning map; 225 in areas designated "A-3" on the zoning map; 100 in areas designated "A-4" on the zoning map; 150 in areas designated "A-5" on the zoning map; and 69 in areas designated "A-6" on the zoning map; and further provided that within the portion of the area designated "A-1" bounded by King Street on the west, Meeting Street on the east, Mary Street on the south and Line Street on the north, the number of rooms in a facility may exceed 50 if the facility is a full-service hotel that provides 20,000 or more square feet of meeting and conference space, and an on-site restaurant that serves breakfast, lunch and dinner seven days a week;

(19) the provision of shuttle bus services to and from the historic district by facilities with more than 50 rooms located outside the area designated "A-1" through "A-6" on the zoning map and not served by public transit;

(20) the commitment to make affirmative, good faith efforts to see that construction and procurement opportunities are available to DBEs (disadvantaged business enterprise) and WBEs (women business enterprise)

as outlined in Section 2-267 (D)(1), (2), and (3) of the Code of the City of Charleston;

(21) the commitment to make affirmative, good faith efforts to hire personnel, representative of the population of the Charleston community, at all employment levels. “

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2016, and in the ____ Year of the Independence of the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Clerk of Council